

United States District Court

WESTERN DISTRICT OF WASHINGTON

LENIER AYERS,

JUDGMENT IN A CIVIL CASE

v.

Case No. C10-5850RJB/JRC

KELLY CUNNINGHAM, *et al.*,

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

1. The Court **ADOPTS** the Report and Recommendation (Dkt. 4);
2. This action is **DISMISSED** pursuant to 28 U.S.C. 1915 (e) (2) (A) as the affidavit of poverty is untrue;
3. The motion to proceed in forma pauperis is **DENIED**. Further, pursuant to 28 U.S.C. 1915 (a)(3) an appeal *in forma pauperis* may not be taken as the appeal would not be in good faith; and
4. Plaintiff's Motion for Stay to Be Removed and Service of Action to Be Commenced on the Defendant's [sic] in CSN C10-5850 (Dkt. 5) is **DENIED**.

January 10, 2011
Date

WILLIAM M. McCOOL
Clerk

s/ Mary Trent
Deputy Clerk